

REMARKS

This application has been reviewed in light of the Office Action dated January 12, 2007. Claims 30-68 are presented for examination, of which Claims 30, 36, 37, 43, 44, 50, 51, 57 and 63 are in independent form. Claims 30, 36, 37, 43, 44, 50, 51, 57 and 63 have been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is requested.

Claims 30-68 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,445,460 (Pavley) in view of U.S. Patent No. 6,668,134 (Niikawa).

In response to those rejections, Applicant hereby incorporates by reference arguments made in the Response After Final Action filed August 31, 2006 and the Second Preliminary Amendment filed December 27, 2006.

In addition, as shown above, Applicant has amended independent Claims 30, 36, 37, 43, 44, 50, 51, 57 and 63 in terms that more clearly define what he regards as his invention. Applicant submits that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Claim 30 is directed to an image transferring apparatus including a storage unit, adapted to store image data and an image data transfer instruction unit, which is a button for instructing image data transfer, adapted to enable a user to enter an instruction to transfer the image data. Also included in the apparatus is a display unit, adapted to display a first screen to enable a user to select between (1) transferring only image data stored in the storage unit which has not previously been transferred and (2) transferring all image data stored in the storage unit.

The display unit also is adapted to display a second screen to enable a user to select between (1) transferring image data at the time of connection of the image transferring apparatus to another apparatus and (2) transferring image data in response to an instruction to transfer entered by the user with the image data transfer instruction unit. The apparatus further includes a transfer control unit, adapted to perform control to transfer the image data, and (1) to judge a selection selected from the first screen displayed by the display unit, and if the selection to transfer only image data not previously transferred is made, perform control to transfer only the image data not previously transferred based on transfer history information, and if the selection to transfer all image data stored in the storage unit is made, perform control to transfer all the image data stored in said storage unit regardless of the transfer history information and (2) to judge a selection selected from the second screen displayed by the display unit, and if the selection to transfer image data at the time of connection of the image transferring apparatus to the other apparatus is made, perform control to transfer image data at the time of connection of the image transferring apparatus to the other apparatus, and if the selection to transfer image data in response to an instruction to transfer entered by the user with the image data transfer instruction unit is made, perform control to transfer image data in response to an instruction to transfer entered by the user with the image data transfer instruction unit.

Among other notable features of Claim 30 are: (A) a display unit, adapted to display a first screen to enable a user to select between (1) transferring only image data stored in the storage unit which has not previously been transferred and (2) transferring all image data stored in the storage unit and a second screen to enable a user to select between (1) transferring image data at the time of connection of the image transferring apparatus to another apparatus and

(2) transferring image data in response to an instruction to transfer entered by the user with the image data transfer instruction unit; and (B) a transfer control unit, adapted to perform control to transfer the image data, and (1) to judge a selection selected from the first screen displayed by the display unit, and if the selection to transfer only image data not previously transferred is made, perform control to transfer only the image data not previously transferred based on transfer history information, and if the selection to transfer all image data stored in the storage unit is made, perform control to transfer all the image data stored in the storage unit regardless of the transfer history information and (2) to judge a selection selected from the second screen displayed by the display unit, and if the selection to transfer image data at the time of connection of the image transferring apparatus to the other apparatus is made, perform control to transfer image data at the time of connection of the image transferring apparatus to the other apparatus, and if the selection to transfer image data in response to an instruction to transfer entered by the user with the image data transfer instruction unit is made, perform control to transfer image data in response to an instruction to transfer entered by the user with the image data transfer instruction unit.

Pavley relates to a method of providing more automatic image file handling for a digital image capture device by utilizing file attributes with digital images, and establishing one or more rule sets for digital image file handling based on the file attributes. Pavley discusses, at col. 6, lines 10-63, the use of a rule set to perform automatic processing of images in a digital camera, and uses as an example processing in which each image in turn is checked for the presence of an attribute indicating that the image has been archived, and if no such attribute is found, automatically transferring the image in question to a computer for archiving, and

associating an “archived” attribute with the image. This portion of Pavley states also that other rules can be established to obtain other kinds of automatic processing of the images.

However, Applicant has found nothing in Pavley that would teach or suggest “a display unit, adapted to display a first screen to enable a user to select between (1) transferring only image data stored in said storage unit which has not previously been transferred and (2) transferring all image data stored in said storage unit and a second screen to enable a user to select between (1) transferring image data at the time of connection of said image transferring apparatus to another apparatus and (2) transferring image data in response to an instruction to transfer entered by the user with said image data transfer instruction unit” or “a transfer control unit, adapted to perform control to transfer the image data, and (1) to judge a selection selected from the first screen displayed by said display unit, and if the selection to transfer only image data not previously transferred is made, perform control to transfer only the image data not previously transferred based on transfer history information, and if the selection to transfer all image data stored in the storage unit is made, perform control to transfer all the image data stored in said storage unit regardless of the transfer history information and (2) to judge a selection selected from the second screen displayed by said display unit, and if the selection to transfer image data at the time of connection of said image transferring apparatus to the other apparatus is made, perform control to transfer image data at the time of connection of said image transferring apparatus to the other apparatus, and if the selection to transfer image data in response to an instruction to transfer entered by the user with said image data transfer instruction unit is made, perform control to transfer image data in response to an instruction to transfer entered by the user with said image data transfer instruction unit,” as recited in Claim 30.

Niikawa does not remedy the deficiencies of Pavely. Niikawa relates to an image recording device which automatically transfers history information corresponding to an image and the image data from one storage medium, such as a memory card, to second storage medium, such as a magneto-optic disc having a larger capacity. The history information can be used to later retrieve the image from the second storage medium. Niikawa discusses, at col. 13, line 14 - col. 14, line 14, transferring all image data and corresponding history data from the memory card to the magneto-optic disc, including the steps of designating files to be transferred, comparing the amount of files to be transferred with the available storage space of the medium to which the data is to be transferred and, if there is sufficient storage space, transferring the image file followed by its corresponding history file.

However, Applicant has found nothing in Niikawa that would teach or suggest “a display unit, adapted to display a first screen to enable a user to select between (1) transferring only image data stored in said storage unit which has not previously been transferred and (2) transferring all image data stored in said storage unit and a second screen to enable a user to select between (1) transferring image data at the time of connection of said image transferring apparatus to another apparatus and (2) transferring image data in response to an instruction to transfer entered by the user with said image data transfer instruction unit” or “a transfer control unit, adapted to perform control to transfer the image data, and (1) to judge a selection selected from the first screen displayed by said display unit, and if the selection to transfer only image data not previously transferred is made, perform control to transfer only the image data not previously transferred based on transfer history information, and if the selection to transfer all image data stored in the storage unit is made, perform control to transfer all the image data stored

in said storage unit regardless of the transfer history information and (2) to judge a selection selected from the second screen displayed by said display unit, and if the selection to transfer image data at the time of connection of said image transferring apparatus to the other apparatus is made, perform control to transfer image data at the time of connection of said image transferring apparatus to the other apparatus, and if the selection to transfer image data in response to an instruction to transfer entered by the user with said image data transfer instruction unit is made, perform control to transfer image data in response to an instruction to transfer entered by the user with said image data transfer instruction unit,” as recited in Claim 30.

Claim 36 is directed to an image transferring apparatus, including: (1) a storage unit, adapted to store image data; (2) a transfer unit, adapted to transfer image data stored in the storage unit; (3) a button, to instruct to transfer the image data; (4) a display unit, adapted to display a screen to enable a user to select between (a) transferring image data at the time of connection of said image transferring apparatus to another apparatus and (b) transferring image data in response to an instruction to transfer entered by the user with said button; and (5) a changing unit, adapted to change transfer history information to a transferred status in the event that the transfer history information of the image data previously transferred by said transfer unit indicates that the image has not been transferred.

For substantially the same reasons as discussed above with respect to Claim 30, Applicant has found nothing in Pavely or Niikawa that would teach or suggest “a display unit, adapted to display a screen to enable a user to select between (1) transferring image data at the time of connection of said image transferring apparatus to another apparatus and (2) transferring image data in response to an instruction to transfer entered by the user with said button,” as

recited in Claim 36.

Claim 51 is directed to an image processing apparatus, including: (1) a capturing unit adapted to capture a plurality of bodies of reduced image data, each corresponding to a respective image, from a storage medium of at least one external device; (2) a transfer unit, adapted to transfer image data stored in the storage medium; (3) a display control unit, adapted to perform control so as to display the reduced image data captured by the capturing unit; and (4) a screen display control unit, adapted to perform control so as to display a first screen to enable a user to select between (a) selecting only image data stored in said storage medium which has not previously been transferred and (b) selecting all image data stored in the storage medium and a second screen to enable a user to select between (a) transferring image data at the time of connection of said image processing apparatus to another apparatus and (b) transferring image data in response to an instruction to transfer entered by the user. The screen display control unit is adapted to control so as to display, selectively, in response to selection made by the user with said screen display control unit, either (1) only any image not previously transferred or (2) all images stored in the storage medium.

For substantially the same reasons as discussed above with respect to Claim 30, Applicant has found nothing in Pavley or Niikawa that would teach or suggest “a screen display control unit, adapted to perform control so as to display a first screen to enable a user to select between (1) selecting only image data stored in said storage medium which has not previously been transferred and (2) selecting all image data stored in the storage medium and a second screen to enable a user to select between (1) transferring image data at the time of connection of said image processing apparatus to another apparatus and (2) transferring image data in response

to an instruction to transfer entered by the user,” as recited in Claim 51.

Claims 37, 43, 44, 50, 57 and 63 are each a method or a storage-medium claim corresponding to one or another of apparatus Claims 30, 36 and 51. Independent Claims 37 and 44 are believed to be clearly patentable over Pavley and Niikawa for the same reasons as is Claim 30, independent Claims 43 and 50 are believed to be clearly patentable over those patents for the same reasons as in Claim 36, and independent Claims 57 and 63 are believed to be patentable over those patents for the same reasons as in Claim 51.

A review of the other art of record has failed to reveal anything which, in Applicant’s opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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